

Sex Offender Classification Board Meeting

Minutes

March 3, 2006 – 9:00 a.m.

Present: Thomas Hearn - chair, Gary Horton, Pamela Huntsman and Moscelene Sunderland, members; Kathy Baird, assistant.

Guests: Patti Tobias, Administrative Director of the Courts; Mary Perrien, PhD, IDOC Chief Psychologist; Mark Kubinski, Deputy Attorney General; and IDOC Director Tom Beauclair.

Minutes Approval

Minutes of the following meeting were reviewed:

- January 13, 2006 regular meeting

A MOTION WAS MADE BY PAMELA HUNTSMAN TO APPROVE THE JANUARY 13TH MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY GARY HORTON AND PASSED UNANIMOUSLY.

Budget Update – Kathy Baird, SOCB Assistant

There should be enough remaining FY'06 funds to cover expenses for one more meeting and a conference call.

Paul Panther was appointed as the chief deputy attorney general assigned to Correction. Mr. Kubinski introduced Mr. Panther to the board members.

Presentence Psychosexual Evaluations – Patti Tobias

There is growing concern over the pre-sentence psychosexual evaluation process. Problem areas identified are evaluation consistency and funding. The counties are limited in their ability to absorb the cost of psychosexual evaluations for indigent offenders.

- The courts need access to high quality, uniform and timely evaluations. They would like for evaluations to be funded by the state.
- The availability of certified psychosexual evaluators in every jurisdiction is limited, which in turn impacts the timely completion of evaluations. However, the evaluator certification system, given time to fully implement, should alleviate much of the report uniformity issues.
- Courts have expressed an interest in having a centralized assessment system or a specific psychosexual evaluator assigned to each judge, as with presentence investigation writers.
- It was noted that language barrier situations present additional challenges and raise evaluation costs due to interpreters' fees.

The group briefly discussed the process for judicial reviews of violent sexual predator designations. Due to their infrequency, the question is whether it would be helpful to establish defined procedures for these reviews. Ms. Tobias will be provided a list of past cases for analysis.

Discussion with Director Beauclair

Director Beauclair shared ideas that have been discussed by the Criminal Justice Commission.

- There is interest in developing a pre-sentence sex offender assessment center(s) operated by the IDOC. This corresponds with the board's earlier discussion with Ms. Tobias.
 - The current psychosexual evaluation process was explained to Mr. Beauclair.

- Concerns have been expressed regarding the 9th Circuit Antelope decision and the impact it may have on sexual history polygraphs conducted for pre-sentence evaluations.
- Board members explained that previously undisclosed victims revealed during the polygraph process cannot be reported if no names and dates are disclosed.

Legislative Activity – Board Discussion

There are a number of sex offender-related bills currently under consideration by the Idaho Legislature. Copies of the bills were distributed to board members and reviewed.

A MOTION WAS MADE BY PAMELA HUNTSMAN TO ADJOURN THE MEETING TO EXECUTIVE SESSION. THE MOTION WAS SECONDED BY GARY HORTON, AND PASSED UNANIMOUSLY.

Executive Session

- Legal review, pursuant to I.C. 67-2345 (1)(f).
- Psychosexual Evaluator Certification Application Reviews.
 - 4 applications were reviewed and approved for certification.

The meeting returned to regular session.

Miscellaneous Business

- The board will meet again on Friday, 5/19/06.

The meeting was concluded at 12:30 p.m.

Submitted by:
Kathy Baird
Management Assistant